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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,355	03/19/2004	Daniel J. Baskerville SR.	GSO1087	5827

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EXAMINER

SY, MARIANO ONG

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,355

Applicant(s)

BASKERVILLE, DANIEL J.

Examiner

Mariano Sy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03192004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claim, 1, 9, and 16 are objected to because of the following informalities:

Claim 1, line 16 "one said plurality of collars" should be --one of said plurality of collars--,

Claim 9, line 16 "one said plurality of collars" should be --one of said plurality of collars--,

Claim 16, line 16 "one said plurality of collars" should be --one of said plurality of collars--.

Appropriate correction is required.

Drawings

2. The drawings are objected to because of the following: elongated pin "53" shown in Fig. 4A (chock disengaged) should be shown on the right end of tire chock "60"; elongated pin "53" shown in Fig. 4B (chock engaged) should be shown on the left end of tire chock "60". Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement

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sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "to maintain same" in line 15. It is vague and unclear as to what applicant is conveying.

Claim 9 recites the limitation "to maintain same" in line 15. It is vague and unclear as to what applicant is conveying.

Claim 16 recites the limitation "to maintain same" in line 15. It is vague and unclear as to what applicant is conveying.

Claims 2, 3 and 6-8 are indefinite due to their dependency to claim 1.

Claims 10-15 are indefinite due to their dependency to claim 9.

Claims 17-20 are indefinite due to their dependency to claim 16.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klusmeyer et al. (US 5,601,158) in view of Wang (US 5,967,573).

Re-claim 1 Klusmeyer et al. disclose, as shown in fig. 13-15, a vehicle chocking system comprising: a control panel positionable within a vehicle for remotely operating said chocking system; a housing 217; a hydraulic cylinder 207 selectively movable between retracted and expanded positions; a chock arm 211 having top and bottom end portions, said chock arms being movable between operating and non-operating positions as cylinder rod is expanded and retracted respectively; a tire chock 209 connected to said chock arm and being engageable with a vehicle tire 227; a plurality of collars 221 securable to each other and having an arcuate portion formed substantially, said plurality of collars being engageable about a vehicle axle 201 for assisting to maintain at a non-rotating position, one of said plurality of collars being securable to said housing; and a power source for supplying power to said system.

However Klusmeyer et al. failed to disclose a motor disposed in the housing and electrically connected to the control panel, the motor including a threaded shaft selectively movable between retracted and expanded positions.

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Wang teaches back and forth linear translation of actuator rod 74 can be employed by air cylinders, screw motors, hydraulic cylinders, and the like (see col. 3, lines 40-44.

It would have been obvious to one of ordinary skill in the art would have modify the system of Klusmeyer et al. with a motor including a threaded shaft selectively movable between retracted and expanded positions, in view of the teaching of Wang, is a matter of design choice or alternate equivalent with same intended function of linear actuation of tire chock.

Re-claim 5 Klusmeyer et al. disclose, as shown in fig. 13-15, wherein said tire chock has a longitudinal length extending substantially across a width of a vehicle tire.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klusmeyer et al. in view of Wang as applied to claim 1 above, and further in view of White, Jr. (US 4,186,823).

Re-claim 4 Klusmeyer et al. as modified, was silent to disclose wherein the tire chock further comprises a serrated surface engageable with a vehicle tire.

White, Jr. teaches, as shown in fig. 1-2, a tire chock comprises a serrated surface engageable with a vehicle tire.

It would have been obvious to one of ordinary skill in the art would have include tire chock of Klusmeyer et al. as modified with serrated surface engageable with a vehicle tire, as taught by White, Jr., in order to increase gripping power between the tire chock and vehicle tire.

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8. Claims 9-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

9. Claims 2, 3, and 6-8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

R.T. Simpson (US 2,710,074)

L. Gamble (US 2,823,769)

M. Lukawsky (US 3,176,785)

W. Nesselberger (US 3,176,798)

G. Corti et al. (US 3,517,776)

Lowrie (US 3,722,631)

Lemon (US 4,325,465)

Delasantos et al. (US 4,354,580)

Percy, Jr. (US 5,439,076)


Boros (US 6,401,876)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 703-308-3427.

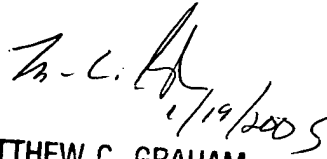
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The examiner can normally be reached on Mon.-Fri. from 9:00 A.M. to 3:00 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci, can be reached on 703-308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 M. Sy

January 13, 2005


MATTHEW C. GRAHAM
PRIMARY EXAMINER
GROUP 310